

Protective Order Committee
Judicial Conference of Indiana

Minutes
December 8, 2000

The Protective Order Committee met at the Marriott Inn in Indianapolis on Friday, December 8, 2000 from 1:30 p.m. – 3:00 p.m.

1. Members present. George E. Brown, David H. Coleman, Robert E. Lybrook, Christina J. Miller, Chris D. Monroe, Jim R. Osborne, Ruth D. Reichard, Sarah Taylor, Jerry L. Ummel, Laura W. Zeman, and John W. Forcum, Chair
2. Staff present. Jeffrey Bercovitz and Tom Jones provided the committee with staff assistance.
3. Guest present. Allen Pope attended the meeting.
4. Minutes approved. The minutes for the committee on October 27, 2000 were approved.
5. Model Code.
 - a. Mr. Bercovitz distributed the Protective Order portion of the Model Code on Domestic And Family Violence. Judge Forcum reported on his phone call with the Chief Justice. He stated that the Chief Justice agreed that this was the time to work on legislation, since the statute requiring fees for protective orders was likely to be repealed. The committee members agreed to meet again on Tuesday, January 9, 2001, at 9:00 a.m. to work on revising the code for use in Indiana.
 - b. They agreed to send any comments on this model code portion to the Judicial Center by December 29, 2000.
6. Legislation.
 - a. Mr. Bercovitz reported he talked with Mr. Steve Johnson, Prosecuting Attorney's Council about recent legislation.
 - b. The committee took the following positions on potential legislative proposals: (1) Agreed the present statute in Title 34 should be amended to include tribal orders as protective orders recognized in Indiana. (2) Agreed to repeal of the filing fee for domestic violence cases only. This would bring Indiana into compliance with federal law, VAWA II, and prevent the loss of federal monies. (3) Agreed to enact the Uniform Statute on Immunity for Protective Orders to protect law enforcement officers in Indiana who serve them. (4) Agreed to review legislation repositioning all protective orders in one place. The committee generally agrees with this concept.
 - c. A subcommittee was formed for rapid response on legislation, including the following: Judge Coleman, Judge Monroe, Sarah Taylor or Tammy Baitz as clerk, Judge Forcum, and Reichard after Feb. 1

7. Future meeting dates: The committee agreed to meet on Tuesday, January 9th at 9:00 a.m. at the Indiana Judicial Center. The committee also agreed to bring lunch for the following meetings in 2001 and meet on Friday, January 26, 2001, 12:30 p.m. - 4:00 p.m.; Friday, February 23, 2001, 12:30 p.m. - 4:00 p.m.; Friday, March 23, 2001, 12:30 p.m. - 4:00 p.m.; Friday, April 27, 2001, 12:30 p.m. - 4:00 p.m.; Friday, June 29, 2001, 12:30 p.m. - 4:00 p.m.; Friday, July 27, 2001, 12:30 p.m. - 4:00 p.m.; and Friday, August 24, 2001, 12:30 p.m. - 4:00 p.m.

Respectfully submitted,

Jeffrey Bercovitz, Director
Probation and Juvenile Services